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April 5, 2019

Direct: (213) 452-6547

VIA FAX

Commission Secretary
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: **Dr. Tran for Congress (FEC ID No. C00647081) – AF #3562**
Our File No.: TRA2706.001

To Whom It May Concern:

We write on behalf of our client, Dr. Tran for Congress (FEC ID No. C00647081) in response to the Office of Administrative Review's letter dated March 28, 2019, to reiterate arguments to the Commission for waiver or abatement of a civil monetary penalty assessed against our client, Dr. Tran for Congress, as set forth in our January 22, 2019 letter.

Dr. Tran for Congress is the principal campaign committee of Dr. Mai Khanh Tran, an unsuccessful candidate in the California Primary Election held on June 5, 2018.

The Commission assessed a civil monetary penalty in the amount of \$5,142.00 for the Committee's failure to disclose a single contribution from the Candidate in the amount of \$50,000.00 on a 48-hour report. While we understand that the penalty is based on a pre-determined fee structure, we respectfully request that the Commissioners and the Commission staff review the following mitigating circumstances and waive the liability assessed.

First, we request that you consider this case in light of the fact that the contribution at issue is from the candidate herself. Had the contribution come from any other donor, it would have – at most – triggered a request for additional information from the Commission's Reports and Analysis Division, and never risen to the level of the Administrative Fine Program. Moreover, the Candidate lent herself money throughout the campaign, and the previous four loans totaling \$730,000 were all timely disclosed on her campaign statements. The \$50,000 loan was the final and smallest amount she lent to her campaign. Thus, anyone reviewing her campaign statements already would have been aware that she was self-funding a major portion of her campaign.

Second, we ask that you consider the \$50,000 loan in the context of the Committee's overall activity. The loan at issue represents only 3% of the Committee's total receipts during the election cycle, and only 0.01% of the 6,512 reportable contribution and loan transactions during the election cycle. The Committee does not take lightly its responsibility to disclose all of its

financial activity to the public. However, we are simply asking that the Commission consider the fact that this one single transaction not has triggered a penalty of \$5,142.00.

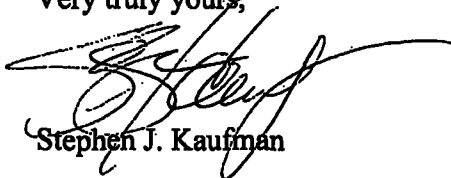
Third, we request that you consider this matter in light of the Candidate and the Committee's status. The Candidate ran and lost in the Primary Election. Since then, the Committee has disbursed all of its remaining funds and filed a termination report. That report has not yet been approved by the Commission's staff due to this pending matter. The Candidate is not seeking any other federal office, does not control any other federal committee and is not soliciting or receiving any funds in connection with any federal election at this time.

Again, the Committee takes its responsibility to the public to disclose its financial activities very seriously. In fact, other than this one matter, the Committee timely filed all other 48-hour reports, quarterly reports and its pre-election report. Further, the Committee has no prior violations on record with the Commission.

Based on the foregoing, the Committee respectfully requests again that the Commission waive or abate the \$5,142.00 penalty assessed in its December 14, 2018, letter.

Please contact us should you have any questions regarding this matter.

Very truly yours,



Stephen J. Kaufman

SJK:vcc